

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

MARTIN RUIZ,

Defendant.

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CRIM 695
INFORMATION

21 Cr. ____ (VSB)

COUNT ONE

(Conspiracy to Commit Securities Fraud)

The United States Attorney Charges:

1. From at least in or about 2011 through in or about August 2021, in the Southern District of New York and elsewhere, MARTIN RUIZ, the defendant, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit an offense against the United States, to wit, securities fraud, in violation of Title 15, United States Code, Sections 78j(b) and 78ff, and Title 17, Code of Federal Regulations, Section 240.10b-5.

2. It was a part and an object of the conspiracy that MARTIN RUIZ, the defendant, and others known and unknown, willfully and knowingly, directly and indirectly, by use of the means and instrumentalities of interstate commerce, and of the mails, and of the facilities of national securities exchanges, would and did use and employ manipulative and deceptive devices

and contrivances, in connection with the purchase and sale of securities, in violation of Title 17, Code of Federal Regulations, Section 240.10b-5, by (a) employing devices, schemes, and artifices to defraud; (b) making untrue statements of material fact and omitting to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; and (c) engaging in acts, practices, and courses of business which operated and would operate as a fraud and deceit upon persons, in violation of Title 15, United States Code, Sections 78j(b) and 78ff.

Overt Act

3. In furtherance of the conspiracy and to effect its illegal object, the following overt act, among others, was committed in the Southern District of New York and elsewhere:

a. During the period between in or about 2011 through in or about August 2021, MARTIN RUIZ, the defendant, operated a fraudulent investment fund called RAM Fund from his apartment in New York, New York and sent email and text communications regarding RAM Fund to investors in New Mexico.

(Title 18, United States Code, Section 371)

COUNT TWO
(Investment Adviser Fraud)

The United States Attorney further charges:

4. From at least in or about 2011 through in or about August 2021, in the Southern District of New York and elsewhere, MARTIN RUIZ, the defendant, willfully and knowingly used the mails and other means and instrumentalities of interstate commerce, directly and indirectly, (a) to employ a device, scheme, and artifice to defraud clients and prospective clients; (b) to engage in a transaction, practice, and course of business which operated as a fraud and deceit upon clients and prospective clients; and (c) to engage in an act, practice, and course of business which was fraudulent, deceptive, and manipulative, to wit, RUIZ, who was engaged to provide investment advice to clients of his firm Carter Bain Wealth Management, breached his fiduciary duties and misled clients by advising them to make investments in RAM Fund, an entity RUIZ controlled, and then misappropriating client funds for his own benefit.

(Title 15, United States Code, Sections 80b-6 and 80b-17;
and Title 18, United States Code, Section 2.)

FORFEITURE ALLEGATIONS

5. As a result of committing the offenses charged in Counts One and Two of this Information, MARTIN RUIZ, the defendant, shall forfeit to the United States pursuant to Title

18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code Section 2461, any property, real or personal, that constitutes or is derived from proceeds traceable to the commission of the offenses alleged in Counts One and Two of this Information that the defendant personally obtained.

Substitute Assets Provision

6. If any of the above-described forfeitable property, as a result of any act or omission by any of the defendants:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third party;

c. has been placed beyond the jurisdiction of the court;

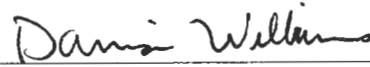
d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), and Title 28, United States Code Section 2461, to seek forfeiture of any other property of

the defendants up to the value of the forfeitable property described above.

(Title 18, United States Code, Section 981(a)(1)(C);
Title 21, United States Code, Section 853(p);
Title 28, United States Code, Section 2461.)



DAMIAN WILLIAMS
United States Attorney

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(Title 15, United States Code, Sections
80b-6 and 80b-17; Title 18, United
States Code, Sections 371 and 2.)

DAMIAN WILLIAMS
U.S. Attorney.
